

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ORLONZO HEDRINGTON,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

No. 2:24-cv-01224-DAD-SCR (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, GRANTING
DEFENDANTS' MOTIONS TO DISMISS,
DENYING PLAINTIFF'S MOTIONS FOR
RECUSAL AND DEFAULT JUDGMENT,
AND DENYING REMAINING MOTIONS
AND REQUESTS AS MOOT

(Doc. Nos. 10, 13, 20, 36, 43, 56, 57, 60 & 69)

Plaintiff, proceeding *pro se*, filed the above-entitled action. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21) and 28 U.S.C. § 636(c)(21).

On November 4, 2024, the assigned magistrate judge issued findings and recommendations recommending that defendants' motions to dismiss be granted without leave to amend and plaintiff's motions for recusal and default judgment be denied. (Doc. No. 56.) Specifically, the magistrate judge concluded that each of the motions to dismiss filed on behalf of the various defendants should be granted because plaintiff's claims brought against: (1) the defendant City of Fairfield are barred by the applicable statute of limitations and the *res judicata* doctrine (*id.* at 3–4); (2) defendant United States are barred by both sovereign immunity and the *res judicata* doctrine (*id.* at 4–5); and (3) defendant Solano County are barred by the applicable statute of limitations, the *res judicata* doctrine and failed to state a cognizable claim for relief (*id.*

1 at 5–6). The magistrate judge recommended that leave to amend be denied as futile given
2 plaintiff’s history of filing repetitive lawsuits against the same defendants asserting the same
3 claims which had been dismissed on *res judicata* grounds. (*Id.* at 8.) In addition, the magistrate
4 judge concluded that plaintiff’s motion for recusal of the District Judge and Magistrate Judge
5 previously assigned to this case should be denied as having been rendered moot. (*Id.* at 6.)
6 Finally, the magistrate judge recommended that plaintiff’s motion for default judgment against
7 defendant Solano County be denied because the defendant County had appeared in this action and
8 moved to dismiss plaintiff’s complaint. (*Id.* at 7–8.)

9 The pending findings and recommendations were served on the parties and contained
10 notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at
11 9.) On November 18, 2024 plaintiff filed timely objections to the findings and recommendations.
12 (Doc. No. 58.) Defendants did not file a response to plaintiff’s objections.

13 Plaintiff’s objections are long, rambling and difficult to decipher, other than it appears
14 plaintiff is alleging that he has been harmed by defendants and the United States and the Fairfield
15 Police Department have conspired in an attempt to cover up those action. (Doc. No. 58.) In any
16 event, nothing in plaintiff’s objections provide any basis upon which to reject the magistrate
17 judge’s thorough legal analysis set forth in the pending findings and recommendations.

18 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
19 *de novo* review of the case. Having carefully reviewed the entire file, including plaintiff’s
20 objections, the court concludes that the findings and recommendations are supported by the
21 record and by proper analysis.

22 Accordingly:

- 23 1. The findings and recommendations filed November 4, 2024 (Doc. No. 56), are
24 ADOPTED in full;
- 25 2. Defendants’ motions to dismiss (Doc. Nos. 13, 20, and 36) are GRANTED and
26 plaintiff’s complaint is dismissed without leave to amend;
- 27 3. Plaintiff’s motion for default judgment as to defendant Solano County (Doc. No. 43) is
28 DENIED;

1 4. Plaintiff's motion for the recusal of the previously assigned District Judge and
2 Magistrate Judge (Doc. No. 10) is DENIED;

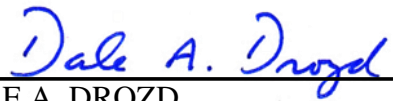
3 5. Plaintiff's remaining motions and requests (Doc. Nos. 60, 69) are DENIED as having
4 been rendered moot by this order;

5 6. In light of the dismissal of plaintiff's complaint, defendant City of Fairfield's motion to
6 declare plaintiff a vexatious litigant (Doc. No. 57) is DENIED, without prejudice to its
7 refiling if a future action, especially one raising these same claims yet again, is filed by
8 plaintiff; and

9 7. The Clerk of the Court is directed to CLOSE this case.

10 IT IS SO ORDERED.

11 Dated: February 18, 2025

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13 DALE A. DROZD
14 UNITED STATES DISTRICT JUDGE
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